

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

<p>OTIS THOMAS,</p> <p style="padding-left: 100px;">Plaintiff,</p> <p style="padding-left: 100px;">v.</p> <p>IMAM ABDUL MALIK SAAFIR, et</p> <p style="padding-left: 100px;">al.,</p> <p style="padding-left: 100px;">Defendants.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>No. C 06-0184 MMC (PR)</p> <p>ORDER GRANTING MOTION TO SCREEN; GRANTING EXTENSION OF TIME TO FILE DISPOSITIVE MOTION</p> <p>(Docket No. 9)</p>
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On January 11, 2006, plaintiff, a California prisoner currently incarcerated at Salinas Valley State Prison ("SVSP") and proceeding pro se, filed the above-titled civil rights action under 42 U.S.C. § 1983 against Imam Abdul Malik Saafir ("Saafir"), Sergeant M. J. Kircher ("Kircher"), and Captain G. Ponder ("Ponder"), all SVSP officials. Plaintiff alleges said defendants, between November 19, 2004 and December 3, 2004, denied him "Jumah" religious services mandated by his Muslim faith.

On May 11, 2006, after reviewing the claims pursuant to 28 U.S.C. 1915A, the Court ordered the complaint served on defendants, and ordered defendants to file, within 60 days, a dispositive motion or a notice that they were of the opinion that such a motion is not warranted in this case. Thereafter, on June 13, 2006, plaintiff amended the complaint, again naming the above defendants. In the amended complaint, plaintiff alleges defendants continue to deny him access to Jumah services.

Now before the Court is defendants' Motion Requesting that the Court Screen Plaintiff's Amended Complaint under 28 U.S.C. § 1915A, filed June 16, 2006. Additionally,

1 defendants request a 60-day extension of time in which to comply, if necessary, with the
2 Court's order of May 11, 2006.


3 Good cause appearing, defendants' motion is GRANTED and the Court rules as
4 follows:

5 For the reasons described in the Court's order of May 11, 2006, the allegations of the
6 Amended Complaint state a cognizable claim for the violation of plaintiff's First Amendment
7 right to exercise his religion. Within 60 days of the date this order is filed, defendants shall
8 file a dispositive motion, or, alternatively, a notice that they are of the opinion that the claims
9 in the Amended Complaint cannot be resolved by such a motion. All of the provisions in the
10 May 11, 2006 order not inconsistent with the present order remain in effect.

11 This order terminates Docket No. 9.

12 IT IS SO ORDERED.

13 DATED: June 30, 2006

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15 MAXINE M. CHESNEY
16 United States District Judge
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